

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

United States of America

Case No. 1:08cr057

Plaintiff

Judge Michael R. Barrett

-vs-

Sean Everson

Defendant

ORDER

This matter is before the Court on Defendant's Response in Opposition to Government's Response for Petitioner's Motion to Reduce Sentence and Request to Hold Petition in Abeyance to Clarification Act. (Doc. 82) The Government has filed a Response in Opposition to Defendant's Request to Hold Petition in Abeyance. (Doc. 83.)

Defendant filed a Petition for Relief under the Fair Sentencing Act of 2010. (Doc. 77.) The Court denied the Petition. (Doc. 80.) Defendant now seeks to hold the Petition in abeyance. Defendant explains that Congress has introduced H.R. 2316, which if passed into law would provide him with his requested relief.

However, because "H.R. 2316 is just a bill, it is not yet a binding law and, therefore, it does not provide Defendant with any relief." *United States v. Ford*, 2011 WL 5508835, *2 (E.D. Ky. Nov. 9, 2011). Accordingly, Defendant's Request to Hold Petition in Abeyance (Doc. 82) is **DENIED**.

IT IS SO ORDERED.

/s/ Michael R. Barrett
MICHAEL R. BARRETT, JUDGE
United States District Court